

# **ELECTRONIC REGULATORY FILING (ERF)**

## **Frequently Asked Questions**

### **General Information**

1. What file formats does the Electronic Filing System accept?

The PSC requires that documents be filed in Adobe Acrobat PDF format.

Documents should be converted to PDF directly from the native format (Word, Excel, Access, Arc View, TIF, etc.). Documents should not be scanned, as these files can be quite large and are not searchable.

The system will also accept working spreadsheets in Excel format. For documents filed in Excel format, the user is *not* required to submit a redundant PDF version of the same content. However, if it is not a working spreadsheet (if all that is needed is the document image), then it should be filed in PDF format rather than Excel.

PSC Staff may request that documents be e-mailed in their native format to allow for easier sharing of text and formatting.

2. Are there document naming standards?

No. The document name must be less than 256 characters long, but what you name the document depends entirely on your internal standards. It is recommended that customers develop good internal naming standards (for example, require that the document name provide information about the nature of the document, such as document type and case number), so that you can better track and manage your documents.

3. What means of filing are available for electronic documents?

The Commission requires that electronic documents be filed using the web-based program that is available on the PSC's website. In rare instances the Commission may choose to accept filings by e-mail, diskette or CD.

4. Does the PSC need a paper copy of documents filed electronically?

No. Please do not follow-up an electronic filing with a redundant paper copy of the same document(s). The electronically filed document will be considered the official copy of the document.

5. For CPCN and Construction cases, is it still necessary to provide hard copies of documents for county clerks and libraries?

Yes. This requirement has not changed. The same is true for maps.

6. Will the PSC reject paper filings?

The PSC recognizes that the ability to generate electronic filings will not be available to all parties in every case. Paper filings may be scanned by the PSC's

Records Management staff and converted to PDF; however, the PSC does not have the resources to do this for all filings. Larger utilities, consultants, most public intervenors and law firms are expected to convert documents themselves. Eventually, it is expected that all formal case participants will be capable of converting their filings to PDF. Formal case participants who are not able to submit documents as PDF will be asked to justify why they cannot meet this requirement.

A major focus of this system is to better serve our customers by quickly making documents available through the PSC's website. Documents which are received in electronic format will be made available on the web much sooner than documents which are not.

7. Will we change the official filing deadlines to accommodate electronic documents?  
No. The web-based system records a date/time stamp when each file is uploaded to the PSC's website. Electronic or paper documents received through other means will be subject to the same deadlines, and will be time stamped based upon the time of arrival at the Commission.
8. What will happen if deadlines are missed due to technical problems?  
As with current paper filings, appeals due to missed deadlines are decided by the Commissioner's Office.
9. How are customers filing electronic documents notified that their filing has been received and accepted by the PSC?  
The web-based system provides an immediate confirmation screen upon successful upload of a document. When the document is reviewed, the system sends a confirming e-mail to the filer identifying that the document has been accepted (or rejected) at the same time that the document is made available on the Commission's Internet website.  
  
Users may also check on the status of any of document they have filed using the "Check Document Status" link within the ERF system.
10. If a document is rejected, will the user receive a reason?  
Yes, it will be included in the e-mail sent from Records Management.
11. If a document is rejected, is it equivalent to never having been filed?  
This will depend on the Hearing Examiner's interpretation.
12. How are case numbers assigned to new application filings?  
Case numbers are assigned in much the same manner as they are with paper filings. The PSC's Records Management (RM) staff reviews the filings in the "holding area" on the website and determines when a new application has been filed. The new filing is entered into the PSC's Case Management System and the docket number and title are assigned at that time. RM staff attach the docket

number to the document(s) and publish them to the web site like any other case-related documents.

13. How soon are documents available on the PSC website after filing?

Documents are available on the web as soon as Records Management staff review and accept them. This may be a matter of a few minutes or the next day if a document is filed late in the day. Documents that are submitted late on a Friday may not be reviewed until Monday morning or later.

14. Will existing and closed cases be converted to electronic format?

Closed cases will not be converted. Open cases that began under paper filing will be considered on a case-by-case basis, primarily dependent upon the number and size of documents already filed, but, in general, this system will be implemented on a “going forward” basis.

15. Is there a customer assistance area for this system?

Yes, there is a phone number and an e-mail address for questions or problems during normal business hours. Please refer to the Help screen ([http://psc.wi.gov/a\\_erf\\_public/info/help\\_ind.htm](http://psc.wi.gov/a_erf_public/info/help_ind.htm)) for specific phone numbers and e-mail addresses. There is also an on-line instruction manual for the system.

16. Will e-mails relating to this system have a consistent subject line so they can be subjected to rules?

Yes. This will allow users to automatically archive or file system e-mails. Note, however, that e-mails sent for different purposes will have different subject lines and may have different senders. Subscriptions will include the user's subscription name in the subject line. Document acceptance notifications will come from the PSC staff member who accepted the document. Users may want to wait until they have received a few e-mails before creating rules for handling mail from this system. All e-mail from the PSC will be from internet domain psc.state.wi.us.

## Customers

17. How does an individual customer get authorization to file electronic documents?

All that is required for an individual customer is that the individual create a user account on the PSC website, and identify themselves by answering several questions when setting up their account. From the logon screen ([https://psc.wi.gov/a\\_erf\\_upload2/default.aspx](https://psc.wi.gov/a_erf_upload2/default.aspx)), click on Create New Individual Account to establish a new individual user account.

The system has been developed to allow for two classes of customers: individual and corporate. See below for more details on corporate accounts.

18. What is a “corporate” account?

Corporate accounts are a managerial tool for organizations. These accounts allow an organization (e.g., utility, law firm, intervenor) to identify and control accounts

for users who are authorized to file on their behalf. Note that this is an optional service offered to corporate entities to allow them greater security in identifying authorized filers, but such entities are not required to use corporate accounts if individual accounts are satisfactory to them.

19. What can a “corporate administration” account do?

The corporate account is for managerial purposes only; therefore it cannot be used to file documents.

A corporate administration account is used to create and inactivate subaccounts that are authorized to file on behalf of the entity. The account can: enter subscriptions, search and view documents, check the status of all documents filed on behalf of the company, and be notified whenever one of the subaccounts files a document in this system.

20. Is there a limit to the number of subaccounts a company can authorize to submit files electronically?

No. The only limit is how many accounts the corporate entity wishes to manage at any given time.

21. Are law firms able to file on behalf of utilities?

Yes. Employees of law firms can set up individual accounts like anyone else; the law firm may set up corporate accounts for their own firm; or the utility may set up a corporate account for an employee of another firm authorized to file on their behalf. Since an employee of a law firm may conduct business on behalf of many utilities, it is recommended that the law firm set up and manage the corporate accounts for their own employees rather than the utility, as it may be confusing for an employee of such a firm to juggle many user accounts, one for each utility he or she works with.

22. Will electronic filing be required of all parties wishing to participate in PSC formal cases?

As of January 1, 2004 all new cases are electronic, with a few exceptions. Full-scale implementation is expected by January 1, 2005. The PSC expects all major utilities, law and accounting firms, and most other parties to file documents electronic form. For individuals and smaller municipal utilities, electronic filing will be voluntary until January 1, 2005, at which time it is expected to become mandatory for these cases as well.

23. Is there a test docket available?

16255-TI-100 may be used to submit test documents.

24. What about Tariffs and Annual Reports?

Initially the scope of this system is limited to formal case documents. It will likely be opened in the future to other documents. Processes already in place for Tariffs and Annual Reports will remain.

25. What about Interconnection Agreements?

Interconnection Agreements should be filed in the ERF system and they should also be emailed to the appropriate Telecommunications staff person. The email requirement may be dropped as some point.

26. What about Intermediate Filings (motions/pleadings in ALJ-handled cases)?

If these filings are part of a formal case that is part of the electronic filing system, then yes, these will be filed electronically as well.

27. What about PSC Staff documents?

Staff is also a party to a case, so their documents will be filed electronically.

## **Filing Documents**

28. What kinds of documents can be filed electronically?

Any documents associated with a formal case can be filed electronically.

29. What is the maximum document size allowed?

Currently the system limits uploads to 25 MB per batch. This may be one file of 25 MB, or could be 25 files each of 1 MB. It is recommended that extremely large documents be separated into chapters and filed as separate documents, so that the system remains accessible to those with slower connections.

30. How are exhibits handled in the process, particularly if they are not submitted in electronic form?

All pre-filed exhibits should be filed in electronic form. For on-site hearings, exhibits that have not been pre-filed should be electronically filed at the PSC during the proceeding. For off-site hearings, exhibits that have not been pre-filed should be submitted in electronic form within 5 days of the hearing. Those exhibits that cannot easily be reduced to electronic form will be allowed to be presented upon consent of the administrative law judge. The PSC provides facilities in its hearing room for filing and viewing electronic documents while hearings are in progress at the PSC.

31. What happens when multiple items are included in a filing?

Where appropriate and keeping in mind the maximum document size, users should group documents into logical units and combine those documents into a single filing. For example, a Brief with a cover letter and several attachments may all be combined into a single document. A confidential document and its corresponding Affidavit should be combined into a single document. A general guideline here is that if you would have stapled the pages together in filing a paper document, you can likewise combine them electronically into a single document.

Note that Testimony and Exhibits still have to be separated out by individual and filed separately.

When filing documents, particularly if there are multiple filings in a case, please be as descriptive as possible in the Document Description. If you are separating a filing into several pieces, please include that fact in the description as well (“Attachment B to the XYZ Document” or “XYZ Document Part 1 of 4”).

32. Will transcripts be included in the system and available online?

Transcripts for all electronic cases are available in electronic form in the ERF system.

33. Will the PSC continue to mail Orders and Notices?

Yes, although there will be options where users may receive these by e-mail if desired. Note that Orders and Notices are available online through searches in either the ERF system or the CMS system, and you can also receive them by e-mail through ERF subscription.

34. When uploading documents: is this compatible with document management systems that may be in place on the users’ systems?

Generally yes, provided that the document management system allows users to browse to the document. If the document management system is web-based, it may not be compatible with the ERF system.

35. Do users have to generate read-only PDF files before uploading?

No. Generating a document as read-only will prevent the PSC from stamping it with a received date. Once a document is loaded into the PSC system, it becomes read-only.

36. Will there be a recall process to get a document back if the wrong one is uploaded?

If the user contacts the PSC Records Management Unit before the document is accepted, it can be rejected and not saved. Once the document is accepted, PSC policy is that it is considered filed – if, however, RMU agrees that it can and should be removed, there are processes in place where this can be done.

## **Viewing Documents**

37. How are documents accessed by PSC customers?

The preferred means of accessing documents is by internet browser through the PSC website, either through a direct search or by subscription. Parties to a case will still be sent copies of the documents as required by rules of service, however, if agreed to among the parties; this may be accomplished by e-mail. Customers are still able to call the PSC and request paper documents.

38. What kinds of search capabilities are available to find documents?

Customers are able to enter a variety of search criteria to find the documents they need. For example, one can search on utility number or name, formal case number, case type, document type, or specified keywords.

Customers are also able to access documents by case number through the existing Case Management portion of the PSC website.

39. Is there an option to view all documents filed since the last time I looked?

No, not explicitly. Several search options may be used to display recently filed documents.

40. How do subscriptions work?

Customers are able to set up a variety of possible searches, based on utility, industry type, document type, case type, or full case number. On a periodic basis, the system searches the database for any new documents that match the specified criteria. When matching documents are found, an e-mail is generated to the subscribing customer with links to each matching document.

41. The subscription screen only allows certain combinations of criteria. Which combinations are allowed?

There are a variety of valid criteria combinations that can be used in subscriptions

42. Do corporate accounts have the same subscription capabilities as individual accounts?

Yes. They are no different from a subscription standpoint.

43. Can corporate accounts see each others' subscriptions?

No. However, when a subscriber receives an e-mail notification that new documents have been entered that match subscription criteria, that e-mail can be shared at will.

## **Software Requirements**

44. Is special software required for generating electronic documents?

Adobe Acrobat is the industry standard for creating PDF files, however there are other PDF writers available, including freeware and shareware versions. Please see the "Adobe Acrobat Overview" document for more details.

45. Is special software required to view electronic documents on the PSC website?

PDF documents can be viewed with a free download of Adobe Acrobat Reader. You will also need an internet connection and a current browser (Microsoft Internet Explorer, version 5.0 or above recommended). Please see the "Adobe Acrobat Overview" document for more details.

## **Hardware Requirements**

46. Is special hardware required for using the Electronic Filing System?

Hardware that supports the required software and is adequate for uploading and downloading from the internet is necessary. A fast internet connection is recommended, as many documents will be very slow to upload or access using a 56K or slower modem.

Screen resolution is recommended to be set at a minimum of 800 x 600. The system will still work at even lower resolutions; however, the screen design is optimized for a resolution of 1024 x 768.

## **Costs**

47. How much will it cost a utility to file electronically?

The PSC does not charge for electronic filing. The only additional cost may be for software or hardware needed to generate and file the documents.

48. Is there a cost to view documents online?

Documents are available to all customers online at no charge. If interested customers do not have a computer with internet access, free access is provided at most public libraries and at the PSC.

## **Legal issues**

49. Is the electronic version the official filed copy, or is a redundant paper copy required, too?

The electronic version will be the official copy of a filing. No paper documents are required of filers; indeed, the filing of paper documents is intentionally discouraged except where absolutely necessary.

50. Must electronically filed documents contain a signature?

The Commission prefers that documents which require a signature be filed using the "/s/" signature designation. For example, a document signed by Jane Doe would appear as "/s/Jane Doe." Users should avoid scanned images of the original signatures and electronic signatures.

Please note that this convention does not constitute an electronic signature under Wisconsin Statutes. It merely indicates that the document has been signed and that an original signed copy exists. It is the responsibility of the filer to keep the original signed document and be able to provide it upon request.

51. Does filing a document in this system constitute service?

Filing a document will constitute service on the PSC, but not to other parties. There will still be Service Lists associated with cases.

52. What will be considered the time of service on the PSC?

This will be the time/date stamp on the file when it is saved on our system.



53. Will we require that parties use electronic service to file documents with each other?

No. Current law requires “personal service” of documents in some instances. These laws are subject to change and certain changes may be considered that may alter this requirement. Parties to a particular case are free to work with the PSC’s Hearing Examiner to agree to electronic service on a case-by-case basis. The PSC staff will be open to such an option where appropriate.

The PSC will not be a proxy server and will not provide electronic service in a case. Parties may subscribe to filings for a case from the PSC website, but this notification by e-mail will not constitute official service.

To better facilitate electronic service among parties, the PSC will consider including e-mail addresses in Service Lists on the PSC website.

### **Confidential Documents**

54. How does the PSC safeguard confidential documents filed electronically?

Confidential documents are uploaded via a separate web-based application that asks for justification for confidential treatment of data, analogous to the paper confidential “blue sheet.” Data entered via this application is encrypted at the time of upload and protected using Secure Sockets Layer (SSL) technology.

Once confidential documents are accepted at the PSC, they are stored separately from other documents and restricted to authorized PSC employees. Access to these documents is automatically logged by the database.

PDF documents which are confidential will be electronically stamped “CONFIDENTIAL” upon receipt.

Excel spreadsheets that require confidential treatment must be marked as such *before* they are uploaded to the system. Customers are requested to place a header on each worksheet containing the word “CONFIDENTIAL” in bold text so that it is plainly visible to PSC staff who have need to access the document.

55. Does the customer still have to file a public copy of a confidential document?

Yes, a public copy is still needed. After the customer files a confidential document, the system generates a control number identifying the confidentiality request. It is helpful to Commission staff if this control number is included with the matching public document so that the two documents can be cross-referenced.

56. Will this system eliminate the need for the affidavits that come along with confidential documents?

Affidavits are still required, and should be merged with the document such that the Affidavit and the confidential document can be uploaded in a single file. If the document is an Excel spreadsheet, the PDF-formatted Affidavit should be

embedded in the first worksheet. When filling out the Confidentiality Request form, the Affidavit is not to be included in the Confidential Page Count.

57. How will confidential documents be treated in searches and subscriptions?

Where search or subscription criteria match a confidential document, the document description will be displayed, an icon will display identifying the document as confidential, but there will be no link to open up the actual document.